

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

22-cr-212 (JGK)

- against -

THOMAS POLI,

ORDER

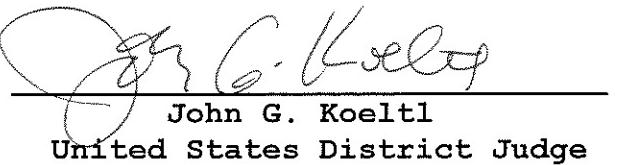
Defendant.

JOHN G. KOELTL, United States District Judge:

The Court has received the defendant's reply memorandum received **April 23, 2024**. The Court has already denied the defendant's application for a reduction in sentence by an Order dated **March 11, 2024**. ECF No. 231. A copy is attached. There is nothing in the reply memorandum that changes the Court's decision to deny the reduction in sentence.

SO ORDERED.

Dated: April 24, 2024
New York, New York



John G. Koeltl
United States District Judge

UNITED STATES DISTRICT COURT
for the

Southern District of New York 

United States of America

v.

Thomas Poli

)

) Case No: 22-cr-212

) USM No: 97739-509

Date of Original Judgment: 07/06/2023

)

) Calvin Harold Scholar

Date of Previous Amended Judgment:
(Use Date of Last Amended Judgment if Any)

)
Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of _____ months is reduced to _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted.)

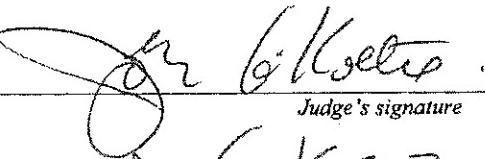
The defendant does not qualify for a two-level reduction under Section 4C1.1 of the Guidelines provided by Amendment 821 because he used violence or threats of violence in connection with the offense, which disqualifies him for a reduction under Section 4C1.1(a) (3).

Moreover, even if his offense level were decreased by two levels from 20 to 18, the Court's sentence of 22 months' imprisonment would still be less than the reduced Guidelines range of 27-33 months.

Except as otherwise provided, all provisions of the judgment dated 07/06/2023 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/11/24


Judge's signature
SO HN G. Koeltz, U.S.D.J.
Printed name and title

Effective Date: _____
(if different from order date)